

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESale PRICE)	MDL No. 1456
LITIGATION)	
<hr/>)	CIVIL ACTION: 01-CV-12257-PBS
THIS DOCUMENT RELATES TO:)	
)	Judge Patti B. Saris
ALL ACTIONS)	
)	

**[PROPOSED] ORDER GRANTING PLAINTIFFS'
MOTION FOR LEAVE TO FILE UNDER SEAL**

THIS MATTER is before the Court on plaintiffs' motion for leave to file under seal. The Court, having considered all pleadings in support and in opposition thereto, and being fully advised in the premises, hereby

GRANTS plaintiffs' motion for leave to file under seal the following items:

1. Reply Declaration of Raymond S. Hartman in Support of Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants;
2. Plaintiffs' Reply Memorandum in Support of Motion for Partial Summary Judgment Against Defendant BMS;
3. Plaintiffs' Reply in Support of Summary Judgment Against Johnson & Johnson;
4. Reply Declaration of Steve W. Berman in Support of Plaintiffs' Reply in Support of Summary Judgment Against Johnson & Johnson;
5. Plaintiffs' Reply to Schering-Plough Corporation's and Warrick Pharmaceutical Corporation's Memorandum in Opposition to Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants and Responses to Plaintiffs' L.R. 56.1 Statement of Undisputed Material Facts in Support of Motion for Partial Summary Judgment Against All Track 1 Defendants;

6. Reply Declaration of Steve W. Berman in Support of Plaintiffs' Reply to Schering-Plough Corporation's and Warrick Pharmaceutical Corporation's Memorandum in Opposition to Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants and Responses to Plaintiffs' L.R. 56.1 Statement of Undisputed Material Facts in Support of Motion for Partial Summary Judgment Against All Track 1 Defendants;
7. Plaintiffs' Reply in Support of Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex;
8. Opposition to AstraZeneca Pharmaceutical LP's Counter Statement To Plaintiffs' Local Rule 56.1 Statement in Support of Plaintiffs' Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex;
9. Declaration of Kenneth A. Wexler Filed in Connection With Plaintiffs' Reply in Support of Motion for Partial Summary Judgment on Behalf of Classes 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex;
10. Plaintiffs' Reply As to AstraZeneca Pharmaceuticals LP's Supplemental Memorandum of Law in Opposition to Class Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses;
11. Reply Declaration of Steve W. Berman in Support of Plaintiffs' Reply as to AstraZeneca Pharmaceuticals LP's Supplemental Memorandum of Law in Opposition to Class Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses;
12. Reply Memorandum in Further Support of Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses; and
13. Reply Declaration of Steve W. Berman in Support of Reply Memorandum in Support of Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses.

IT IS SO ORDERED.

DATED: _____

Hon. Patti B. Saris
United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL** be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on April 28, 2006, a copy to LexisNexis File and Serve for Posting and notification to all parties

By /s/ Steve W. Berman
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